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JULIE RICHARDS JOHNSTON, CLERK  
US DISTRICT COURT, EDNC

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF NORTH CAROLINA

Southern DIVISION

Darnell Joyce Elaine )  
Simmons )

(Enter above the full name  
of the Plaintiff[s] in this  
action).

vs.

Cape Fear Community College  
Ken Serino, Maria Cook )

Joyce Spears, Tommy )

Herring, Rhonda Tighe )

(Enter above the full name of  
**ALL** Defendant[s] in this action.  
Fed.R.Civ.P.10(a) requires that  
the caption of the complaint  
include the names of **all** the  
parties. Merely listing one  
party and "et al." is insufficient.  
Please attach additional sheets if  
necessary).

Case No. 7:15-cv-214-BO  
(To be assigned  
by the Clerk of  
District Court)

COMPLAINT

1. Plaintiff resides at 2657 Carolina Beach Rd, Wilmington <sup>28412</sup>

2. Defendant(s) name(s): Cape Fear Community College  
Ken Serino, Maria Cook, Joyce Spears, Tommy  
Herring, Rhonda Tighe

Location of principal office(s) of the named defendant(s):

401 N Front St  
Wilmington, NC 28401

Nature of defendant(s) business:

Educational & Training Services

Approximate number of individuals employed by defendant:

1200

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on this court by 42 U.S.C. § 2000e-5. Equitable and other relief are also sought under 42 U.S.C. § 20003-5(g).

4. The acts complained of in this suit concern:

- (A) \_\_\_\_\_ Failure to employ me.
- (B) af Termination of my employment.
- (C) \_\_\_\_\_ Failure to promote me.
- (D) af Other acts as specified below:

Different terms & Conditions of Employment and harassment which lead to my termination & Lab Staff Retaliating against me, due to my co workers malicious behavior due to my race.

5. Plaintiff is:

(A) \_\_\_\_\_ presently employed by the defendant.

(B) / not presently employed by the defendant.

The dates of employment were 2.2014 to 4.2015

Employment was terminated because:

(1) \_\_\_\_\_ plaintiff was discharged.

(2) \_\_\_\_\_ plaintiff was laid off.

(3) \_\_\_\_\_ plaintiff left job voluntarily.

6. Defendant(s) conduct is discriminatory with respect to the following:

(A) / my race.

(B) \_\_\_\_\_ my religion.

(C) \_\_\_\_\_ my sex.

(D) \_\_\_\_\_ my national origin.

(E) \_\_\_\_\_ other as specified below:

\_\_\_\_\_  
\_\_\_\_\_

7. The name(s), race, sex, and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is (are):

Ken Serino  
Maria Cook  
Joyce Spears  
Tammy Herning  
Rhonda Tighe  
\_\_\_\_\_  
\_\_\_\_\_

8. The alleged discrimination occurred on or about \_\_\_\_\_

March 2014

9. The nature of my complaint, i.e., the manner in which the individuals(s) named above discriminated against me in terms of the conditions of my employment is as follows:

Due to my co workers malicious behavior  
due to my race.

10. The alleged illegal activity took place at: \_\_\_\_\_

Cape Fear Community College

11. I filed charges with the Equal Employment Opportunity Commission regarding defendant(s) alleged discriminatory conduct on or about Dec 2014. I have attached a copy of the Notice of Right to Sue letter issued by the Equal Employment Opportunity Commission. This letter was received by me on \_\_\_\_\_

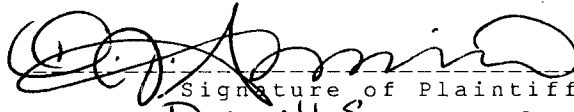
July 27, 2015

12. I seek the following relief:

- (A) ✓ recovery of back pay;
- (B) \_\_\_\_\_ reinstatement to my former job;
- (C) ✓ trial by jury on all issues so triable;

and any other relief as may be appropriate, including  
injunctive orders, damages, costs and attorney's fees.

7-22-15  
Date

  
Signature of Plaintiff  
Darrell Simmons

Phy- 2657 Carolina Beach Rd 28412

Mailing- P.O. Box 1064 Wilmington NC 28402

Ph.# 336 587 7930  
Address and Phone Number of Plaintiff